

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID C. THACKER,

Plaintiff,

v.

AT&T CORPORATION, et al.,

Defendants.

No. 2:20-cv-0255-KJM-CKD PS

ORDER

(ECF Nos. 42, 47)

On March 9, 2021, the magistrate judge issued findings and recommendations (ECF No. 47), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed. Accordingly, the court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes it is appropriate to adopt the findings and recommendations in full. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 47) are ADOPTED IN FULL;

////

2. Plaintiff's motion to amend (ECF No. 42) is GRANTED IN PART and DENIED IN PART, as follows:

- a. Leave to file the proposed amended complaint as a Second Amended Complaint is DENIED;
- b. Leave to join AT&T Phone / U-Verse and AT&T Communications, LLC as additional defendants in this action is DENIED; and
- c. Leave to join AT&T Mobility, LLC as an additional defendant in this action is GRANTED;

3. The Clerk of Court shall update the docket to add "AT&T Mobility, LLC" as a defendant, represented by the same counsel currently reflected for defendant AT&T Corporation. No summons needs to be issued, as AT&T Mobility has already appeared in the case; and

4. This case is referred again to the assigned magistrate judge for further proceedings.

DATED: April 1, 2021.


CHIEF UNITED STATES DISTRICT JUDGE